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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,891	08/21/2000	Jeffry Jovan Philyaw	PHLY-25,338	8887
25883	7590	10/03/2003	EXAMINER	
HOWISON & ARNOTT, L.L.P			KANG, PAUL H	
P.O. BOX 741715			ART UNIT	
DALLAS, TX 75374-1715			PAPER NUMBER	

2141

DATE MAILED: 10/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/642,891

Applicant(s)

PHILYAW, JEFFRY JOVAN

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hudetz et al., US Pat. No. 5,978,773, in view of Kumomura., US Pat. No. 5,963,926 B1.

2. As to claims 1, 9, 10, 11 and 14, 22, 23, 24, Hudetz teaches the invention substantially as claimed. Hudetz teaches a system and method of accessing information over a global communication packet-switched network, comprising the steps of:

at a user location disposed on the network, reading a machine-resolvable code (MRC) with a reading device (Hudetz, col. 3, line 16 – col. 4, line 30);

extracting coded information from the MRC, the coded information associated with routing information (Hudetz, col. 3, line 16 – col. 4, line 30);

obtaining the routing information associated with the coded information (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21);

connecting the user location to the server across the network in accordance with the routing information (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21);

returning the personal account information from the server to the user location (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21); and

presenting the information to the user at the user location (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21).

However, Hudetz does not explicitly teach the MRC disposed on a credit card and the routing information corresponds to the personal account information of the user stored on a credit card company server disposed on the network. In the same field of endeavor, Kumomura teaches remotely accessing user's personal account information from a remote credit card server (Kumomura, col.2, line 2 – col. 3, line 18 and col. 4, line 10 – col. 5, line 30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the credit card information, as taught by Kumomura, into the remote information retrieval system of Hudetz for the purpose of enhancing the speed and ease of credit card account information.

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3. As to claims 2-5, and 8, 12, 13, 15, 16, 17, 18, 21, Hudetz-Kumomura teach the system wherein the MRC is an optical indicia, a barcode, wherein the optical indicia is used to extract the corresponding routing information and personal identification information, wherein a unique code is transmitted to a remote intermediate location, and returning a matched remote location information to the user (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21).

4. As to claim 7, 20, Hudetz-Kumomura teach the use of a computer display at the user location (Hudetz, col. 3, line 16 – col. 4, line 30 and col. 7, line 1 – col. 9, line 21).

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5. Claim 6 and 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hudetz-Kumomura, as applied above, further in view of Brood et al., US Pat. No. 6,170, 746 B1.

6. As to claims 6 and 19, Hudetz-Kumomura teach the invention substantially as claimed. However, Hudetz-Kumomura does not explicitly teach a wireless scanner. In the same field of endeavor, Brook teaches a wireless barcode scanner (figure 1 and col. 3, line 6 – col. 4, line 41).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Paul H Kang
Examiner
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